

Appl. No. : 09/380,412
Filed : January 19, 2000

consideration. For the reasons set forth below, Applicant respectfully requests the Examiner to withdraw the rejections and to pass the application to allowance.

The specific changes to the amended claims are shown on a separate set of pages attached hereto and entitled VERSION WITH MARKINGS TO SHOW CHANGES MADE, which follows the signature page of this Amendment. On this set of pages, the insertions are underlined while the ~~deletions are struck through~~.

Discussion of Claim Rejections Under 35 U.S.C. §112, Second Paragraph

In the October 2, 2002 Office Action, the Examiner rejects Claims 12 and 20 as being indefinite, stating that it is not clear what the functions and tasks of the home location register and the authentication center of the mobile communication center are.

Applicant has amended Claims 12 and 20 to clarify the claim language. Amended Claims 12 and 20 each define that the base station fulfills the same functions and tasks with respect to access control and authentication as a home location register and, respectively, an authentication center of the mobile communication system.

In view of amended Claims 12 and 20, Applicant respectfully requests the Examiner to withdraw the rejection under 35 U.S.C. §112, second paragraph.

Discussion of Claim Rejections Based on Raffel

The Examiner rejects Claims 12-21 under 35 U.S.C. §102(b) as being anticipated by Raffel (US Patent No. 5,675,629). Further, the Examiner rejects Claim 22 under 35 U.S.C. §103(a) as being unpatentable over Raffel. That is, the Examiner asserts that Raffel discloses each and every limitation recited in Claims 12-21. More particularly, as to independent Claims 12 and 20, the Examiner asserts that Raffel discloses a base station having a read/write unit and software that have features as defined in Claims 12 and 20. For the following reasons, Applicant respectfully disagrees with the Examiner's assertion.

Addressing initially the cordless communication system of Claim 20, Raffel does not disclose or suggest a read/write unit within the cordless base station which is configured to read

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and write information from and to, respectively, at least one identification module, wherein sections of data of the identification module used in the base station are identical to sections of data stored on a chip card of an access-authorized mobile terminal. In asserting that Raffel teaches such a read/write unit, the Examiner cites to column 10, lines 50-65, in Raffel.

Applicant has reviewed this citation but did not recognize a description of a read/write having features as defined in Claim 20. Instead, Raffel generally describes a base station (10) capable of communicating with a mobile station. The base station (10) is connected to a PSTN (15) and is assigned a telephone number. An electronic serial number is stored in a permanent memory so that it cannot be tampered with by unauthorized personnel. Again, Raffel does not disclose a read/write unit as defined in Claim 20.

Further, Raffel does not disclose or suggest software implemented in the base station for processing data read from the identification module and for authenticating the mobile terminal relative to the base station through the processed data. Instead, Raffel teaches that the cordless base station is capable of communicating with a mobile terminal. (Col. 2, lines 25-39.) There is no teaching in Raffel that the mobile terminal directly authenticates with the cordless base station rather than the mobile network.

Furthermore, Raffel does not disclose or suggest that the cordless base station fulfills the same functions and tasks with respect to access control and authentication as the home location register and respectively an authentication center of the mobile communication network. Raffel describes an exchange of an authorization message between the network and the base station. (Col. 7, lines 25-37.) However, Raffel does not describe an authentication procedure between the mobile terminal and the cordless base station. Accordingly, Raffel does not teach a base station fulfilling the same functions and tasks with respect to access control and authentication as the home location register and an authentication center of the mobile communication network.

In conclusion, Applicant respectfully submits that Raffel does not disclose or suggest each and every limitation recited in amended independent Claim 20. Therefore, Raffel does not anticipate or render obvious amended Claim 20. Applicant respectfully requests the Examiner to withdraw the rejection of Claim 20 over Raffel and to pass amended Claim 20 to allowance.

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Amended Claim 12 recites, among others, the acts of reading and writing from and to at least one identification module through a read and write unit of the base station, and authenticating the mobile terminal with regard to the base station, wherein the base station fulfills the same functions and tasks with respect to access control and authentication as a home location register and, respectively, an authentication center of the mobile communication system. Applicant discussed these features with respect to independent Claim 20. Therefore, Applicant respectfully submits that the above discussion of these features and Raffel equally applies to amended independent Claim 12. Applicant respectfully requests the Examiner to withdraw the rejection of Claim 12 over Raffel and to pass amended Claim 12 to allowance.

Because Claims 13-19 and 21-22 depend from independent Claims 12 and 20, respectively, pursuant to 35 U.S.C. § 112, ¶ 4, they incorporate by reference all the limitations of the claim to which they refer. It is therefore submitted that Claims 13-19 and 21-22 are in condition for allowance at least for the reasons expressed with respect to the independent claim, and for their other inventive features. Thus, Applicant respectfully requests the Examiner to allow Claims 13-19 and 21-22.

In addition to the foregoing, Applicant briefly addresses certain rejections of dependent claims. As to Claim 14, the Examiner cites to col. 4, lines 65-67, col. 5, line 1-19, col. 23, lines 42-67 and col. 24, lines 1-21, in Raffel. However, Applicants did not recognize that Raffel teaches a method of storing other data on an identification module. Raffel's base station communicates with the network for authentication purposes (col. 23, lines 42-47). However, Raffel does not mention any kind of identification module used with the cordless base station.

As to Claims 17-19, the Examiner asserts that Raffel mentions a "timer" which controls the operation period of the cordless base station. Raffel's cordless base station automatically re-registers itself with the mobile communication network when a predefined time period of the timer has elapsed. However, the present application refers to a "timer" which automatically resets under the condition of legitimate use of the cordless base station, wherein the operation of the base station is stopped if the base station is not used before the timer period of the timer has expired. This, however, is different from Raffel's timer function.

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In view of the foregoing, Applicants respectfully submit that Claims 12-22 are patentable over Raffel, and that the application is in condition for allowance. Such allowance is respectfully requested.

CONCLUSION

Applicants have endeavored to address all of the Examiner's concerns as expressed in the outstanding Office Action. In light of the above remarks, reconsideration and withdrawal of the outstanding rejections is specifically requested.

If the Examiner finds any remaining impediment to the prompt allowance of these claims that could be clarified with a telephone conference, the Examiner is respectfully requested to initiate the same with the undersigned and pursuant to M.P.E.P. § 713.01, in order to expedite prosecution of this application, Applicant's undersigned attorney of record hereby respectfully requests a telephone interview with the Examiner as soon as the Examiner has considered the effect of the arguments presented above and is not prepared to send a Notice of Allowability. Applicant's attorney can be reached by direct dial at (619) 687-8632.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 1/2/03

By: _____

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

The claims have been amended as follows:

12. (Amended) A method of operating a cordless communication system comprising a mobile terminal of a public mobile communication system and having a base station which is connectable to a public fixed network and compatible at an air interface with the mobile communication system that has at least one authentication function, comprising:

reading and writing from and to, respectively, at least one identification module through a read and write unit of the base station, wherein sections of data of the identification module used in the base station are identical to sections of data stored on a chip card of an access-authorized mobile terminal;

processing data read from the identification module through software implemented in the base station;

authenticating the mobile terminal with regard to the base station through the processed data, wherein the base station fulfills the same functions and tasks with respect to access control and authentication as a home location register and, respectively, an authentication center of the mobile communication system; and

operating the mobile terminal through the public fixed network if the authentication has been successful.

20. (Amended) A cordless communication system for the operation of a mobile terminal of a mobile communication system with a base station that is connected to a public fixed network and that is compatible at an air interface with the mobile communication system that has at least one authentication function, comprising:

a read/write unit within a base station, the read/write unit configured to read and write information from and to, respectively, at least one identification module, wherein sections of data of the identification module used in the base station are identical to sections of data on a chip card of an access-authorized mobile terminal; and

software implemented in the base station for processing of data read from the identification module and for authenticating the mobile terminal relative to the base

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station through the processed data, wherein the base station fulfills the same functions and tasks with respect to access control and authentication as the home location register and, respectively, the authentication center of the mobile communication system.